

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

| | | |
|--------------------------------|---|-----------------------|
| JEREMY V. PINSON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. CIV-06-323-F |
| |) | |
| RENEE WATKINS, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

**REPORT AND RECOMMENDATION CONCERNING
MOTION FOR A PRELIMINARY INJUNCTION**


Mr. Pinson is a prisoner who alleges unconstitutional conditions of confinement. He is now in the custody of the United States Marshal's Service and seeks a preliminary injunction requiring officials to "allow unrestricted non-collect call access to a telephone during reasonable hours." Motion for Preliminary Injunction (Nov. 29, 2006). But the Plaintiff "only requests this relief until counsel is found." *Id.* The Court has found counsel for Mr. Pinson, and his request is moot. Thus, the Court should deny the motion for a preliminary injunction on grounds of mootness.

The Plaintiff can object to this report and recommendation. To do so, Mr. Pinson must file an objection with the Clerk of this Court. The deadline for objections is January 7, 2007. *See* W.D. Okla. LCvR 72.1(a). The failure to timely object would foreclose appellate review of the suggested ruling. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also Marshall v. Chater*, 75 F.3d 1421, 1426 (10th Cir. 1996) ("Issues

raised for the first time in objections to the magistrate judge's recommendation are deemed waived."").

The referral is not terminated.

Entered this 18th of December, 2006.



Robert E. Bacharach
United States Magistrate Judge